

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ALLFIRST BANK,)	
)	
Plaintiff)	
)	
v.)	CIVIL NO. 1:CV-01-0786
)	
JOHN M. ORTENZIO,)	
)	
Defendant)	

DEFENDANT'S RESPONSE TO COURT'S ORDER DATED APRIL 24, 2007

In response to the Court's Order dated April 24, 2007, defendant John M. Ortenzio respectfully submits that (i) it is not possible to know the impact of the bankruptcy court's order in the adversary proceeding on the above-captioned matter at this time because on April 27, 2007, one of the parties to that adversary proceeding appealed the bankruptcy court's order; and (ii) the stay in the above-captioned matter should remain in place both because the adversary proceeding remains pending, making it impossible to determine Ortenzio's ultimately liability to Allfirst Bank, and because on April 27, 2007, Ortenzio and Allfirst reached agreement in principle on a settlement which is predicated on no final judgment being entered in this matter.

Ortenzio believes that the settlement is likely to be finalized, and this matter dismissed, in the very near future. Accordingly, Ortenzio respectfully suggests that the parties be ordered to file another status report on or before June 1, 2007, apprising the Court whether the settlement has become final.

Respectfully submitted,

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Attorney for Defendant John M. Ortenzio

CERTIFICATE OF SERVICE

I certify that on April 30, 2007, the foregoing Defendant's Response to Court's Order Dated April 26, 2007 was served by first-class mail, postage prepaid, on:

Lawrence J. Gebhardt
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Evan M. Tager